

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number **062281**

In re Application of: **Hajime NAKAMURA et al.**

Application No.: **10/572,753**

Filed: **March 21, 2006**

For: **PREPARATION OF RARE EARTH PERMANENT MAGNET MATERIAL**

The owner*, Shin-Etsu Chemical Co., Ltd., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 11/916,498, filed on September 10, 2009, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said **reference** application, "as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that: any such patent: granted on the pending **reference** application:

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 43,077

/Kenneth H. Salen/
Signature

September 12, 2011
Date

Kenneth H. Salen
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(202) 822-1100
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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